

Before the
Federal Communications Commission
Washington, DC 20554

FILED/ACCEPTED
NOV 10 2010
Federal Communications Commission
Office of the Secretary

In the Matter of)	MM Docket No. 10-157
)	
EDDIE FLOYD)	NAL/Acct. No. 201041410018
)	
Licensee of FM Translator Station K273AF,)	FRN: 0011733425
Carson City, Nevada)	Facility ID No. 13529
)	
EDDIE FLOYD)	
)	
and)	
)	
WILKS LICENSE COMPANY-RENO, LLC)	File No. BALFT-20070904ACU
)	
For Assignment of License of FM Translator)	
Station K273AF, Carson City, NV)	
)	
EDDIE FLOYD)	File No. BMLFT-20071218ABH
)	
For Modification of License of FM Translator)	
Station K273AF, Carson City, NV)	
)	
To: Office of the Secretary		
Attn: Chief Administrative Law Judge		
Richard L. Sippel		

OBJECTION AND RESPONSIVE SUBMISSION OF EDDIE FLOYD

Eddie Floyd, by his attorney, and pursuant to the Presiding Judge's Order, FCC 10M-15, released November 2, 2010 (copy attached) (Attachment I), respectfully submits the following:

As a preliminary matter, Floyd notes his objection to providing certain material that is irrelevant to the determination of whether Floyd is entitled to relief pursuant to *Second Thursday Corp.*, 19 RR 2d 1199, 25 FCC 2d 11 (1970).

Specifically Floyd objections on grounds of relevancy to providing information relating to the following: the name of the Trustee in Bankruptcy, the names of the attorneys representing the Floyds in bankruptcy, the name of the presiding Bankruptcy Judge, the names of the party or

parties who petitioned the Court to place the Floyds in Bankruptcy, and the reasons for selecting Evans Broadcasting Company, Inc. as a prospective purchaser.¹

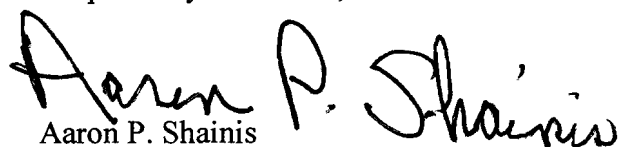
Furthermore, the shotgun request for all “related Orders of the Bankruptcy Court that were issued after such filing” and “all pleadings and documents filed in the Bankruptcy Court proceeding referring to and/or identifying and/or describing Evans Broadcasting Company, Inc.” appear to be irrelevant and grossly wasteful of all parties’ time. Subject to these objections, Floyd is nevertheless providing the information requested.

- (a) Declaration of Eddie Floyd;
- (b) Bankruptcy Petition;
- (c) Orders of the Bankruptcy Court;
- (d) all pleadings and documents filed in the Bankruptcy Court proceeding referring to and/or identifying and/or describing Evans Broadcasting Company, Inc.;
- (e) all pleadings and documents filed by Eddie and Shari Floyd in the Bankruptcy Court.
- (f) It should be noted that the Docket sheet in the pending Bankruptcy matter is attached (Attachment F). The documents and orders referenced therein have been requested. Upon receipt they will be filed as a supplement to the instant submission.

Shainis & Peltzman, Chartered
1850 M Street NW, Suite 240
Washington, DC 20036
202-293-0011

November 10, 2010

Respectfully submitted,


Aaron P. Shainis
Counsel for
Eddie Floyd

¹ This request is the most problematic. Clearly, the reasons for selling the station to Evans or any other purchaser are totally irrelevant to the ultimate decision.

ATTACHMENT I

**Before the
Federal Communications Commission
Washington, D. C. 20554**

FCC 10M-15

In the Matter of)	MB Docket No. 10-157
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EDDIE FLOYD)	NAL/Acct. No. 201041410018
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For Assignment of License of FM Translator Station K273AF, Carson City, NV)	
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EDDIE FLOYD)	File No. BMLFT-20071218ABH
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For Modification of License of FM Translator Station K273AF, Carson City, NV)	

ORDER

Issued: November 2, 2010

Released: November 2, 2010

Consideration has been given to (1) Enforcement Bureau's Request for clarification filed October 29, 2010; (2) Wilks-Reno's Statement in Response to Enforcement Bureau's Request for Clarification filed October 29; and (3) Comments of Eddie Floyd filed on November 1, 2010.

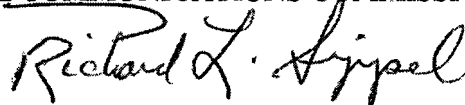
Under all the arguments and requests made therein, there is cause shown to defer all discovery. Also, additional information is needed by the Presiding Judge to prepare for a prehearing conference to be set later, wherein pending motions will be considered and discussions heard on the appropriate procedures for Commission consideration of Eddie Floyd's request for *Second Thursday* relief.

Accordingly, IT IS ORDERED that all discovery and procedural dates previously set under *Order FCC 10M-09 ARE DEFERRED sine die*.

IT IS FURTHER ORDERED that Eddie Floyd SHALL SUBMIT and SERVE on **November 10, 2010**, his sworn Declaration confirming under oath that he and his wife Shari I. Floyd have been placed in Chapter 7 Bankruptcy; and identify the Bankruptcy Court having jurisdiction, the Trustee in Bankruptcy if one has been appointed, the name of the presiding Bankruptcy Judge, the attorney(s) representing the Floyds in Bankruptcy, the party or parties who petitioned the Court to place the Floyd's in Bankruptcy, the date that the Floyd's were declared Bankrupt, and reasons for selecting Evans Broadcasting Company, Inc. as prospective purchases

IT IS FURTHER ORDERED that Eddie Floyd shall also SUBMIT and SERVE on **November 10, 2010**, copies of: (1) the petition in Bankruptcy that was filed against the Floyds;¹ (2) all related Orders of the Bankruptcy Court that were issued after such filing; (3) all pleadings and documents filed in the Bankruptcy Court proceeding referring to and/or identifying and/or describing Evans Broadcasting Company, Inc.; all pleadings and documents filed by Eddie and Shari Floyd in the Bankruptcy Court.

FEDERAL COMMUNICATIONS COMMISSION²

A handwritten signature in black ink, reading "Richard L. Sippel". The signature is fluid and cursive, with the first name "Richard" and last name "Sippel" clearly legible.

Richard L. Sippel
Chief Administrative Law Judge

¹ Identified by Wilks-Reno's counsel as the U.S. Bankruptcy Court, District of Nevada (Reno), Bankruptcy Petition No. 09-52653-gwz.

² Copies of above *Order* is being sent by e-mail to each counsel and Eddie Floyd on date of issuance.

ATTACHMENT A

DECLARATION

Eddie Floyd hereby declares under penalty of perjury the following:

Eddie Floyd and Shari Floyd are currently involved in a Chapter 7 bankruptcy proceeding (Case Number: 09-52653-gwz).

Exhibit 1 to the instant Declaration identifies the bankruptcy court having jurisdiction.

Exhibit 2 to the instant Declaration identifies the Trustee in Bankruptcy.

Exhibit 3 to the instant Declaration identifies the name of the presiding Bankruptcy Judge.

Exhibit 4 to the instant Declaration identifies the attorney representing the Floyds in Bankruptcy.

Exhibit 5 to the instant Declaration identifies the party or parties who petitioned the Court to place the Floyds in Bankruptcy.

Exhibit 6 to the instant Declaration identifies the date that the Floyds were declared Bankrupt.

Exhibit 7 to the instant Declaration identifies the reasons for selecting Evans Broadcasting Company, Inc. as prospective purchaser.

November 9, 2010

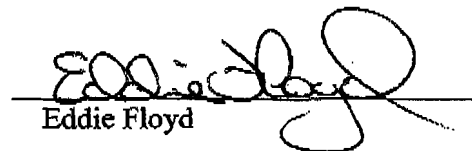

Eddie Floyd

Exhibit 1

U.S. Bankruptcy Court
District of Nevada (Reno)

Exhibit 2

W. Donald Gieseke

Exhibit 3

Judge Greg Zive

Exhibit 4

Alan R. Smith

Exhibit 5

John Bettencourt

John Schroeder

Pensco Trust Co.

Anthony Castro

Mike Alger

Sadiq Patankar

Nancy Castro

Exhibit 6

Bankruptcy petition pending

Petition filed on August 6, 2009

Exhibit 7

Evans Broadcasting was approached because it was a logical purchaser since it owned two (2) full service stations in the market.

ATTACHMENT B

**United States Bankruptcy Court
District of Nevada**

Case Number: 09-52653-gwz

Chapter 7

In re:

WALTER EDWARD FLOYD JR,
aka EDDIE FLOYD JR
665 S. WELLS AVE
RENO, NV 89502

SHARI L. FLOYD
665 S. WELLS AVE.
RENO, NV 89502

Alleged Debtor(s)

SUMMONS TO DEBTOR IN INVOLUNTARY CASE

To the above named debtor(s):

A petition under title 11, United States Code was filed against you on 8/6/09 in this bankruptcy court, requesting an order for relief under chapter 7 of the Bankruptcy Code (title 11 of the United States Code).

YOU ARE SUMMONED and required to file with the clerk of the bankruptcy court a motion or answer to the petition within 20 days after the service of the summons. A copy of the petition is attached.

Address of the Clerk:

Clerk, U.S. Bankruptcy Court
C. Clifton Young Federal Building and U.S. Courthouse
300 Booth Street
Reno, NV 89509

At the same time, you must also serve a copy of the motion or answer upon the petitioner's attorney.

Name and Address of Petitioner's Attorney:

MARTIN CROWLEY
85 SO. LAVERNE ST
FALLON, NV 89406

A status conference will be held regarding the involuntary petition.

Courtroom Address:

United States Bankruptcy Court
C. Clifton Young Federal Building and U.S. Courthouse
Courtroom of the Honorable GREGG W. ZIVE
10/14/09
300 Booth Street
Reno, NV 89509

Date: GREGG W. ZIVE
10/14/09
Time: 10:30 AM

If you make a motion, your time to serve an answer is governed by Federal Rule of Bankruptcy Procedure 1011(c).

If you fail to respond to this summons, the order for relief will be entered.

Dated: 8/7/09

BY THE COURT



Mary A. Schott

Mary A. Schott
Clerk of the Bankruptcy Court

* Set forth all names, including trade names, used by the debtor within the last 6 years. (Fed. R. Bankr. P. 1005).

CERTIFICATE OF SERVICE
SUMMONS TO DEBTOR IN INVOLUNTARY CASE

Case Number: 09-52653-gwz

In re:

WALTER EDWARD FLOYD JR
SHARI L. FLOYD

Alleged Debtor(s)

I,
of **

certify:

That I am, and at all times during the service of process, was not less than 18 years of age;
That on the _____ day of _____, 20____ I served a copy of the within summons,
together with the petition filed in this case, on the debtor in this case by:

[describe here the mode of service]

the said debtor at

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: _____
[Date]

Signature: _____
[Signature]

**State mailing address